

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:24-CV-00076-FDW-SCR**

JAMARCUS TORRENCE,

Plaintiff,

v.

LVNV FUNDING, LLC,

Defendant.

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ORDER

THIS MATTER is before the Court *sua sponte* concerning the status of this case. According to the Court’s Initial Scheduling Order, entered on the docket on January 23, 2024, the parties were required to conduct an Initial Attorneys’ Conference (“IAC”) “[w]ithin fourteen (14) calendar days following joinder of the issues” and to “file a Certification of Initial Attorneys’ Conference (“CIAC”)” “[w]ithin five (5) calendar days after the IAC.” Pursuant to this Court’s Standing Order Governing Civil Case Management Before the Honorable Frank D. Whitney, Misc. No. 3:07-MC-47 (Doc. No. 2), joinder of the issues occurred on February 26, 2024. Although Plaintiff was provided an opportunity to participate in this Court’s PSAP program, Plaintiff did not do so by the deadline of March 20, 2024, and the parties should have then conducted an IAC. On June 26, 2024, the Court instructed the parties to file a CIAC within seven (7) days. Defendant filed a response stating it tried engaging with Plaintiff to meet and confer for a CIAC; however, Plaintiff was unresponsive. (Doc. No. 7).

In turn, the Court ordered Plaintiff to show cause by September 4, 2024, why the Complaint should not be dismissed for failure to prosecute. (Doc. No. 8). Plaintiff was forewarned that failure


to comply with the Order could result in dismissal of Plaintiff's claims for failure to prosecute.
(Id.).

To date, Plaintiff has not responded to the Court's Order, and the time for doing so has expired. Plaintiff has not filed any additional pleadings in this matter. The Court finds it is important to keep its docket from becoming backlogged with dormant cases. See Erline Co., S.A. v. Johnson, 440 F.3d 648, 654 (4th Cir. 2006).

IT IS THEREFORE ORDERED that Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is respectfully directed to **CLOSE THE CASE**.

IT IS SO ORDERED.

Signed: September 17, 2024


Frank D. Whitney
United States District Judge

